



TERRITORY OF GUAM  
OFFICE OF THE GOVERNOR  
AGAÑA, GUAM 96910  
U. S. A.



EXECUTIVE ORDER NO. 88-9

ADOPTING SAFETY STANDARDS FOR THE GOVERNMENT  
OF GUAM AND DIRECTING THE DEPARTMENT OF LABOR  
TO COORDINATE IMPLEMENTATION

**WHEREAS**, the Government of Guam has not adopted overall, uniform safety standards for its operations; and

**WHEREAS**, not only is the well-being of Government employees at risk but also the safety of the many island residents who are affected by Government operations; and

**WHEREAS**, the Government must begin taking precautionary actions to prevent injury to person and damages to property; and

**NOW, THEREFORE, I, JOSEPH F. ADA**, Governor of the Territory of Guam, by virtue of the authority vested in me by the Organic Act of Guam do hereby order:

(1) Effective October 1, 1988 the safety standards set forth in U.S. Public Law 91-596 and the regulations promulgated under the authority of that public law shall apply to every Executive Agency of the Government of Guam, including, but not limited to any office, department, institution, board, bureau, commission, council, authority, committee of Territorial Government and the Guam Visitors Bureau; and

(2) No later than July 1, 1988 every Executive Agency shall report to the Director of Labor any problems in implementing the safety standards, including, but not limited to, lack of funding, lack of qualified personnel, inability to modify buildings or equipment or unavailability of safety equipment; and

(3) No later than April 8, 1988 every Executive Agency shall appoint a Safety Officer, an employee responsible for the safety program within the agency, and advise the Director of Labor in writing of the appointment; and

(4) No later than May 1, 1988 the Department of Labor shall conduct a briefing for all Safety Officers on the safety standards adopted pursuant to Paragraph (1) of this Order; and

(5) No later than September 1, 1988 the Director of Labor shall recommend to the Governor any modification of the safety standards adopted pursuant to Paragraph (1) of this Order; and

(6) No later than May 1, 1988 every agency that has been inspected by the Marianas Field Federal Safety and Health Council shall advise the Director of Labor the status of corrections to safety hazards discovered by the Council; and

(7) The following procedure is set forth for the submission of employee reports of unsafe or unhealthful conditions in the workplace:

(a) All Government of Guam employees shall be encouraged to orally report unsafe or unhealthful working conditions to their immediate supervisor who must then promptly investigate the situation and take appropriate corrective actions, including, but not limited to, apprising the Safety Officer of the agency. The Safety Officer may contact the Department of Labor for assistance as necessary. The Safety Officers shall keep the reporting employee informed of all actions taken.



(b) Any Government of Guam employee (or employee representative) may submit a written report of an unsafe or unhealthful working condition directly to the Department of Labor.

(c) Upon receipt of a signed 'hazard report' form, a Safety Inspector will contact the originator to acknowledge receipt and discuss the seriousness of the reported hazard. The Department shall advise the cognizant supervisor and Safety Officer that a hazard has been reported.

(d) Alleged imminent danger situations, including, but not limited to, the potential for death or severe injury and/or loss of facility or major property damage, shall be investigated within twenty-four (24) hours. Potentially serious situations shall be investigated within three (3) days. If the reported situation involves a health hazard, as opposed to a safety hazard, the Department of Labor will refer to the report to the cognizant medical authority for investigation as necessary.

(e) The Department of Labor shall provide an interim or complete response in writing to the originator of the report within fifteen (15) working days of receipt. Interim responses will include the expected date for a complete response. If the investigation validates the reported hazard, the complete response shall include a summary of the action taken for abatement. If no significant hazard is found to exist, the reply shall include the basis for that determination.

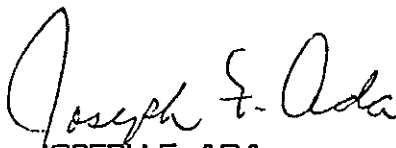
(f) The complete response shall encourage, but not require, the originator to informally contact the Department of Labor if he or she desires additional information or is dissatisfied with the response.

(8) Every agency shall at all times cooperate with the Department of Labor in the performance of its functions, and, upon request, furnish the Department of Labor all information that it may require respecting any of the matters concerning employee safety, health or working conditions, and shall permit the examination of its personnel, facilities, books, records, contracts, maps and other documents by the Department of Labor, or any person authorized by it in writing to make such examination; and

(9) The Department of Labor shall establish a division to oversee safety within the Government of Guam. An employee in any Executive Agency may be detailed to the Department of Labor as needed to implement this Order; and

(10) This Order shall be of no further force and effect thirty (30) days after the effective date of any law creating a Division of Occupational Safety and Health within the Department of Labor and adopting safety standards applicable to the Government of Guam.

Signed and promulgated at Agana, Guam this 24th day of March 1988.

  
JOSEPH F. ADA  
Governor of Guam

COUNTERSIGNED:

  
FRANK F. BLAS  
Lieutenant Governor